

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LUCIA A. MORALES,

Plaintiff,

-against-

LOCAL 32BJ, et al.,

Defendants.

1:22-cv-08700 (JLR)

**ORDER OF SERVICE**

JENNIFER L. ROCHON, United States District Judge:

Plaintiff, proceeding *pro se*, brings this action invoking the Court’s federal-question jurisdiction and asserting claims based on alleged labor abuse, retaliation for political activities, and discrimination. ECF No. 2 at 2. Plaintiff brings this action against: (1) her union, Local 32BJ SEIU; (2) her former employer, ABM Industries; and (3) Brookfield Properties, which appears to be a building management company. By order dated October 14, 2022, the Court granted Plaintiff’s request to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees. ECF No. 4.

**DISCUSSION**

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.<sup>1</sup> *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve

---

<sup>1</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that summonses be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served summonses and the Complaint until the Court reviewed the Complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each Defendant. The Clerk of Court is further instructed to issue a summons for each Defendant and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.


If the Complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service). Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss this action if Plaintiff fails to do so.

### CONCLUSION

The Court directs the Clerk of Court to mail a copy of this order to Plaintiff, together with an information package. The Court also directs the Clerk of Court to issue summonses for Defendants; complete the USM-285 forms with the addresses for Defendants; and deliver all documents necessary to effect service on Defendants to the U.S. Marshals Service.

Dated: November 8, 2022  
New York, New York

SO ORDERED.

  
JENNIFER L. ROCHON  
United States District Judge

**DEFENDANTS AND SERVICE ADDRESSES**

1. Local 32BJ SEIU  
25 West 18th Street  
New York, New York 10011
2. ABM Industries  
50 Broadway, Suite 1001  
New York, New York 10004
3. Brookfield Properties  
250 Vesey Street, 15th Floor  
New York, New York 10281